



**LODI CITY COUNCIL**  
**Carnegie Forum**  
305 West Pine Street, Lodi

**AGENDA – REGULAR MEETING**

**Date:** March 21, 2007

**Time:** Closed Session 5:30 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

**NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

**C-1 Call to Order / Roll Call**

**C-2 Announcement of Closed Session**

- a) Review of Council Appointees – City Manager and City Attorney – pursuant to Government Code §54957
- b) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- c) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- d) Actual Litigation: Government Code §54956.9(a); one case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651

**C-3 Adjourn to Closed Session**

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

**C-4 Return to Open Session / Disclosure of Action**

**A. Call to Order / Roll call**

**B. Invocation – Reverend David S. Hill, Grace Presbyterian Church**

**C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations
  - a) National Boys and Girls Club Week
  - b) One Book, One San Joaquin (LIB)
- D-3 Presentations – None

**E. Consent Calendar (Reading; Comments by the Public; Council Action)**

- E-1 Receive Register of Claims in the Amount of \$6,248,896.22 (FIN)
- E-2 Approve Minutes (CLK)
  - a) March 6, 2007 (Shirtsleeve Session)
  - b) March 6, 2007 (Special Meeting)
  - c) March 7, 2007 (Regular Meeting)
  - d) March 8, 2007 (Special Joint Meeting w/Library Board of Trustees)
  - e) March 13, 2007 (Shirtsleeve Session)

- Res. E-3 Adopt Resolution Granting Signature Authority to Certain City Staff for Investment of Monies in the Local Agency Investment Fund (FIN)
- E-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Elm Street Overlay 2007, Lower Sacramento Road to Mills Avenue and Hutchins Street to Ham Lane (PW)
- E-5 Accept Donation of Framed Vintage Aerial Photograph of Lodi from Dr. Floyd Zastrow and Frames & Fine Things (CLK)
- Res. E-6 Adopt Resolution Authorizing the Purchase and Installation of 14 Mobile Data Computers from Data 911, of Alameda, and Emergency Vehicle Solutions, of Menlo Park (\$94,397), and Appropriate Funds (PD)
- Res. E-7 Adopt Resolution Awarding the Purchase of 20,000 Feet of #1/0 15kV EPR Underground Cable to the Low Bidder, The Okonite Company, of San Ramon (\$46,440.25) (EUD)
- Res. E-8 Adopt Resolution Awarding the Contract for the Blakely Park "South" Pool Deck Improvements, 1050 South Stockton Street, to 100% Concrete, Inc., of Lathrop (\$71,420) (PR)
- E-9 Accept Improvements under Contract for Elm Street Paving Stone Replacement Project, School Street to Sacramento Street (PW)
- Res. E-10 Adopt Resolution Authorizing the City Manager to Execute Task Order with Treadwell & Rollo for Groundwater Modeling Work for Lodi Central Plume PCE Remediation Design and Appropriating Funds (\$125,000) (PW)
- Res. E-11 Adopt Resolution Ratifying the Memorandum of Understanding with Lodi City Mid-Management Association (Calendar Year 2007) (CM)
- E-12 Set Public Hearing for April 4, 2007, to Consider Approval of the Following Items: (CD)
- a) Approve Negative Declaration 06-03 for the General Plan Amendment and Change in Zoning for the Gini Project (Expansion of Auto-Related Businesses) and Approve Negative Declaration 06-04 for the General Plan Amendment and Change in Zoning for the Lodi Memorial Hospital Project (New South Wing Addition and Other Related Facilities)
  - b) Amend the General Plan Designation for 1333 and 1325 South Central Avenue from Eastside Residential to General Commercial (Gini Project) and for 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from Low Density Residential to Office (Lodi Memorial Hospital Project)
  - c) Rezone 1333 and 1325 South Central Avenue from RE-1, Single Family Residential Eastside, to C-2, General Commercial (Gini Project)
  - d) Rezone 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from Low Density Residential to Office and Approve Development Plan (Lodi Memorial Hospital Project)

**F. Comments by the Public on Non-Agenda Items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Comments by the City Council Members on Non-Agenda Items**

**H. Comments by the City Manager on Non-Agenda Items**

**I. Public Hearings**

I-1 Public Hearing to Consider the Following: (CD)

- Res. a) Certification of the Lodi Annexation Environmental Impact Report as Adequate California Environmental Quality Act Analysis for the Westside Project
- Res. b) Approval of the Westside Project, Which Includes Annexation, Pre-Zoning, Development  
Ord. (Introduce) Agreement, and Amendments to the Bicycle Transportation Master Plan and Westside  
Ord. (Introduce) Facilities Master Plan to Incorporate 151 Acres into the City of Lodi to Allow Construction  
Res. of 745 Dwelling Units, 3 Neighborhood/Community Parks, and a Public Elementary  
Res. School at 351 East Sargent Road, 70 East Sargent Road, 212 East Sargent Road, and  
402 East Sargent Road

**NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

- Res. I-2 Public Hearing to Consider Resolution Establishing Area of Benefit and Reimbursable Costs for Lower Sacramento Road (Kettleman Lane to Harney Lane) Improvements (PW)

**NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

- Res. I-3 Public Hearing to Consider Resolution Approving New Rates for Solid Waste Collection (PW)

**J. Communications**

J-1 Claims Filed Against the City of Lodi – None

J-2 Appointments – None

J-3 Miscellaneous – None

**K. Regular Calendar**

K-1 Receive Electric Utility, Wastewater, and Water 2<sup>nd</sup> Quarter Fiscal Year 2007 Financial Reports (FIN)

K-2 Authorize Contingency Fee Contract with Folger Levin and Kahn, LLP for the Hartford Litigation (CA)

**NOTE: This item is carried over from the meeting of 3/7/07**

- Res. K-3 Repeal Resolution 2007-40 and Adopt Resolution Approving the Revised Distribution of the 2007-08 Federal Allocation of Community Development Block Grant and HOME Program Funds and the Reallocation of Available Funds from Previous Program Years (CD)

K-4 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$285,696.86) (CA)

**L. Ordinances – None**

**M. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Randi Johl  
City Clerk